Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Filing at a Glance

Companies: American Automobile Insurance Company, Associated Indemnity Corporation, Fireman's Fund Insurance

Company, National Surety Corporation, The American Insurance Company

Product Name: Fungi Limitation Endorsement SERFF Tr Num: FFDC-125656877 State: Arkansas

TOI: 05.1 Commercial Multi-Peril - Non-Liability SERFF Status: Closed State Tr Num: EFT \$50

Portion Only

Sub-TOI: 05.1000 CMP Sub-TOI Combinations Co Tr Num: NARMC0208 State Status: Fees verified and

received

Filing Type: Form Co Status: Reviewer(s): Betty Montesi,

Llyweyia Rawlins, Brittany Yielding

Author: Helen Jee Disposition Date: 06/06/2008

Date Submitted: 05/27/2008 Disposition Status: Approved

Effective Date Requested (New): 07/01/2008 Effective Date (New): 07/01/2008

Effective Date Requested (Renewal): 07/01/2008 Effective Date (Renewal):

07/01/2008

State Filing Description:

General Information

Project Name: Fungi Limitation Endorsement

Status of Filing in Domicile:

Project Number: NARMC0208

Domicile Status Comments:

Reference Organization: Reference Number:
Reference Title: Advisory Org. Circular:

Filing Status Changed: 06/06/2008

State Status Changed: 06/06/2008 Deemer Date:

Corresponding Filing Tracking Number: NARMC0208

Filing Description:

Updated Fungi Limitation endorsement to our previously approved Fungi Limitation endorsement # NARMC0102, applying coverage to specified locations on the policy. The updated Fungi Limitation endorsement also allows us to offer the higher limit options currently available on our previously approved Fungi Additional Limit Endorsement 145955, filing # NARMC0306PK/DOI #ARPC 06 020 381

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

This will enable us to utilize the same form for providing the base limit of \$25,000 for fungi with higher limit options. There is no charge to pricing for the base limit or higher limit options.

This is a form filing only. There is no rate impact associated with the use of the endorsement submitted in this filing. Please refer to the enclosed marked copies of the forms detailing the above-mentioned revisions.

Enclosures:

- Explanatory Memorandum
- 145900 04 08 Fungi Limitation Endorsement & Marked copy as a side by side comparison

With the filing of the 04 08 edition of the Fungi Limitation Endorsement – 145900, we are withdrawing in this filing our Fungi Additional Limit Endorsement –145955 06 06, filed and approved under filing # NARMC0306PK/DOI # ARPC 06 020 381.

Company and Contact

Filing Contact Information

Helen Jee, Filings Analyst hjee@ffic.com

777 San Marin Drive (415) 899-6721 [Phone] Novato, CA 94949 (866) 290-0671[FAX]

Filing Company Information

American Automobile Insurance Company CoCode: 21849 State of Domicile: Missouri

777 San Marin Drive Group Code: 761 Company Type:
Novato, CA 94998 Group Name: State ID Number:

(415) 899-2817 ext. [Phone] FEIN Number: 22-1608585

Associated Indemnity Corporation CoCode: 21865 State of Domicile: California

777 San Marin Drive Group Code: 761 Company Type:
Novato, CA 94998 Group Name: State ID Number:

(415) 899-2817 ext. [Phone] FEIN Number: 22-1708002

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Fireman's Fund Insurance Company CoCode: 21873 State of Domicile: California

777 San Marin Drive Group Code: 761 Company Type:
Novato, CA 94998 Group Name: State ID Number:

(415) 899-3290 ext. [Phone] FEIN Number: 94-1610280

National Surety Corporation CoCode: 21881 State of Domicile: Illinois

777 San Marin Drive Group Code: 761 Company Type:
Novato, CA 94998 Group Name: State ID Number:

(415) 899-2817 ext. [Phone] FEIN Number: 36-2704643

The American Insurance Company CoCode: 21857 State of Domicile: Nebraska

777 San Marin Drive Group Code: 761 Company Type:
Novato, CA 94998 Group Name: State ID Number:

(415) 899-2817 ext. [Phone] FEIN Number: 22-0731810

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Filing Fees

Fee Required? Yes Fee Amount: \$50.00

Retaliatory? No

Fee Explanation: 50 per filing

Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
American Automobile Insurance Company	\$0.00	05/27/2008	
Associated Indemnity Corporation	\$0.00	05/27/2008	
Fireman's Fund Insurance Company	\$0.00	05/27/2008	
National Surety Corporation	\$0.00	05/27/2008	
The American Insurance Company	\$50.00	05/27/2008	20516185

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	06/06/2008	06/06/2008

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Disposition

Disposition Date: 06/06/2008

Effective Date (New): 07/01/2008 Effective Date (Renewal): 07/01/2008

Status: Approved

Comment:

Rate data does NOT apply to filing.

Overall Rate Information for Multiple Company Filings

Overall Percentage Rate Indicated For This Filing 0.000%

Overall Percentage Rate Impact For This Filing 0.000%

Effect of Rate Filing-Written Premium Change For This Program \$0

Effect of Rate Filing - Number of Policyholders Affected 0

Company Tracking Number: NARMC0208

Form

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Prop	erty &Approved	Yes
5	Casualty		
Supporting Document	Form Filing Schedule	Approved	Yes
Supporting Document	Marked Copy of Endt	Approved	Yes
Form	Fungi Limitation Endorsement	Approved	Yes

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Form Schedule

Review	Form Name	Form #	Edition	Form Type Action	Action Specific Readability	Attachment
Status			Date		Data	
Approved	Fungi Limitation	145900	04 08	Endorseme Replaced	Replaced Form #:	145900 04
	Endorsement			nt/Amendm	145900 01 02	08 Fungi
				ent/Conditi	Previous Filing #:	Limitation
				ons	NARMC0102	Endt -
						Final.pdf

Fungi Limitation Endorsement - 145900 04 08

Policy Amendment(s)

This endorsement modifies insurance provided under the following:

Commercial Property Coverage Part
Property-Gard Select Real and Personal Property Coverage Section
Commercial Inland Marine Coverage Part
Standard Property Policy
All Other Property or Inland Marine Coverage Forms, Sections, or Endorsements attached to this policy

Schedule of Additional Limit

\$50,000
\$100,000

□ \$250,000

Schedule of Locations

Description of Business Real Property to which this endorsement applies:

Location Number Address

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

With respect to the location(s) shown in the above Schedule, the coverage parts, coverage sections, forms, or endorsements described above and attached to this policy are amended as follows.

1. The terms fungus and mold are deleted wherever they may appear in the coverage parts, coverage sections, forms, or endorsements described above and attached to this policy.

This Form must be attached to Change Endorsement when issued after the policy is written. One of the **Fireman's Fund Insurance Companies** as named in the policy.

President

Secretary

- 2. The following exclusion applies to any coverage part, coverage form, coverage section, coverage provision, extension of coverage, additional coverage, coverage enhancement, or amendatory endorsement attached to this policy:
 - a. This insurance does not apply to any loss, damage, expense, injury, economic loss, economic detriment, liability, or claim, directly or indirectly, arising out of, caused by, resulting from, happening through, or in consequence of **fungi**, notwithstanding any other provision of this policy to the contrary. This includes the cost to test for, monitor, abate, mitigate, remove, dispose of, or remediate **fungi**.
 - b. Such loss, damage, expense, injury, economic loss, economic detriment, liability, or claim is excluded regardless of any other cause, condition, event, material, product or building component, that contributes concurrently or in any sequence to the loss, damage, expense, injury, economic loss, economic detriment, liability, or claim.
- 3. The following coverage extension is added:

Fungi

- a. If **fungi** is the result of a Covered Cause of Loss, we will pay, subject to the limitation in subsection 3.d. (below), for:
 - (1) Direct physical loss of or damage to Covered Property, or Property Insured; or
 - (2) Your liability for property of others;

At the premises shown in the Declarations, caused by or resulting from **fungi**. This includes the necessary and reasonable cost incurred to test for, monitor, abate, mitigate, remove, dispose of, or remediate fungi.

- b. Coverage provided by this extension applies only if the presence of **fungi** is reported to us within 30 days of the occurrence of the covered loss that is alleged to have caused this condition.
- c. Coverage provided by this extension includes:
 - (1) The actual loss of Business Income you sustain;
 - (2) The necessary Extra Expense you incur; or
 - (3) Ordinance or Law Coverage;

if the Coverage Section, policy Declarations, or an endorsement attached to this policy show that you have Business Income, Extra Expense, or Ordinance or Law Coverage.

d. Regardless of any other limits or coverages stated in this policy, or the number of locations involved, the most we will pay under this coverage extension in any one occurrence or in the **annual aggregate** during the policy period is \$25,000 or the amount indicated in the above Schedule of Additional Limit. The provisions of this extension do not increase any Limits of Insurance provided by this policy.

4. Additional Definitions:

a. **Annual Aggregate** means the most we will pay for all loss or damage arising from all occurrence(s) during any one Policy Period. **Annual aggregate** Limit(s) of Insurance are reduced by the amount of any paid loss insured under this coverage extension.

If the policy is written for a term of more than one year, we will apply the **annual aggregate** limit of insurance separately to each consecutive year of the Policy Period. If the policy is extended for a period of time that is less than a year, the **annual aggregate** from the prior term applies to the extended period of time.

b. **Fungi** means all types of fungus, such as mildew and mold, and all of their resulting spores and byproducts, including mycotoxins and allergens. **Fungi** does not mean **fungi** for human ingestion.

For purposes of this **Fungi** Coverage Extension, **fungi** is not considered a **pollutant**.

This endorsement is otherwise subject to all other terms, conditions, provisions and stipulations of the policy to which it is attached.

145900 04 08 Page 3 of 3

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Rate Information

Rate data does NOT apply to filing.

Company Tracking Number: NARMC0208

TOI: 05.1 Commercial Multi-Peril - Non-Liability Sub-TOI: 05.1000 CMP Sub-TOI Combinations

Portion Only

Product Name: Fungi Limitation Endorsement

Project Name/Number: Fungi Limitation Endorsement/NARMC0208

Supporting Document Schedules

Review Status:

Satisfied -Name: Uniform Transmittal Document- Approved 06/06/2008

Property & Casualty

Comments:

Attachment:

NAIC Transmittal - F.pdf

Review Status:

Satisfied -Name: Form Filing Schedule Approved 06/06/2008

Comments:

Attachment:

Form Filing Schedule.pdf

Review Status:

Satisfied -Name: Marked Copy of Endt Approved 06/06/2008

Comments:

Marked Copy of Endt available for side by side comparison.

Attachment:

145900 04 08 Fungi Limitation Endt - marked copy.pdf

Property & Casualty Transmittal Document

1.	Reserved for Insurance 2. Insurance Department Use only									
	Dept. Use Only	the filing is rece	ivec	1:						
		analyst:								
		osition:								
		of disposition of the filing:								
		tive date of filing:								
		Ne	w Business							
	R			newal Business						
		f. S	tate	Filing #:						
		g. S	ERF	FF Filing #:						
				ect Codes						
3.	Group Name								Gr	oup NAIC #
	Fireman's Fund Insurance Com	panies							076	
4.	Company Name(s)			Domicile	NA	IC#	FEIN #	#		State #
	Fireman's Fund Insurance Com	nanv		California		873	94-161			04
	National Surety Corporation	P 4411)		Illinois		881	36-270			12
	The American Insurance Compa	anv		Nebraska		857	22-073			26
	Associated Indemnity Corporate			California		865	22-170			04
	American Automobile Insuranc			Missouri		849	22-160			24
		1 ,								
5.	Company Tracking Number		NA	RMC0208-F						
	<u> </u>				num	herl				
Con	tact Info of Filer(s) or Corpora	te Officer	(s)	[include toll-free			#			e-mail
	<u> </u>	ite Officer Title	(s)			hber] FAX (866) 290-06		hjee@		e-mail
Con	tact Info of Filer(s) or Corpora Name and address Helen Jee 777 San Marin Drive	te Officer	(s)	[include toll-free		FAX		hjee@		
Con	tact Info of Filer(s) or Corpora Name and address Helen Jee	te Officer Title	(s)	[include toll-free		FAX		hjee@		
Con	tact Info of Filer(s) or Corpora Name and address Helen Jee 777 San Marin Drive	te Officer Title	(s)	[include toll-free		FAX		hjee@		
Con	tact Info of Filer(s) or Corpora Name and address Helen Jee 777 San Marin Drive	te Officer Title	(s)	[include toll-free		FAX		hjee@		
Con 6.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998	te Officer Title	(s)	Telephone # 415-899-6721	ŧs	FAX (866) 290-06		hjee@		
Con	Name and address Helen Jee 777 San Marin Drive Novato, California 94998 Signature of authorized filer	Title Regulatory Analyst	(s)	[include toll-free Telephone # 415-899-6721	ŧs	FAX (866) 290-06		hjee@		
Con 6.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998	Title Regulatory Analyst	(s)	Telephone # 415-899-6721	ŧs	FAX (866) 290-06		hjee@		
7.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998 Signature of authorized filer	Title Regulatory Analyst	(s)	[include toll-free Telephone # 415-899-6721	ts .	FAX (866) 290-06		hjee@		
7.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998 Signature of authorized filer Please print name of authorize	Title Regulatory Analyst	(s)	[include toll-free Telephone # 415-899-6721	f the	FAX (866) 290-06	71		offic.c	
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7. 8. Fili 9. 10. 11.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998 Signature of authorized filer Please print name of authoriz ng information (see General I Type of Insurance (TOI) Sub-Type of Insurance (Sub-T State Specific Product code(s) applicable)[See State Specific Requin	Title Regulatory Analyst Zed filer [Instruction (if rements]	ns fo 5.1 S.10	Telephone # 415-899-6721 Helen Jee Commercial Multiple Com	f theeti-Pe	ese fields) eril (Non Lia ombinations Rules Rates/F	bility Po	ortion)	offic.c	
7. 8. Fili 9. 10. 11.	Name and address Helen Jee 777 San Marin Drive Novato, California 94998 Signature of authorized filer Please print name of authoriz ng information (see General I Type of Insurance (TOI) Sub-Type of Insurance (Sub-T State Specific Product code(s) applicable)[See State Specific Requin	Title Regulatory Analyst Zed filer [Instruction (if rements]	ns fo 5.1 S.10	Telephone # 415-899-6721 Helen Jee Commercial Multipolo CMP Sub-TO	f theeti-Pe	ese fields) eril (Non Lia ombinations Rules Rates/F	bility Po	ortion)	offic.c	

PC TD-1 pg 1 of 2

Property & Casualty Transmittal Document---

	Troperty & Susua	uity IIuii	mittal Document	
15.	Reference Filing?	Yes	⊠ No	
16.	Reference Organization (if applicable)			
17.	Reference Organization # & Title			
18.	Company's Date of Filing	05-09-2008		
19.	Status of filing in domicile	☐ Not Fil	ed Pending Authorized Disapproved	
•	•	•		
20.	This filing transmittal is part of Company	Tracking #	NARMC0208-F	
21.	Filing Description [This area can be used in li	eu of a cover	letter or filing memorandum and is free-form text]	
endo endo Addi	orsement # NARMC0102, applying coverage to	specified loc options curre	ement to our previously approved Fungi Limitation ations on the policy. The updated Fungi Limitation ently available on our previously approved Fungi POI #	
	will enable us to utilize the same form for provie e is no charge to pricing for the base limit or hig		e limit of \$25,000 for fungi with higher limit options. ons.	
	is a form filing only. There is no rate impact as se refer to the enclosed marked copies of the fo		n the use of the endorsement submitted in this filing. g the above-mentioned revisions.	
• E	osures: Explanatory Memorandum 145900 04 08 Fungi Limitation Endorsement &	Marked copy	as a side by side comparison	
With the filing of the 04 08 edition of the Fungi Limitation Endorsement – 145900, we are withdrawing in this filing our Fungi Additional Limit Endorsement –145955 06 06, filed and approved under filing # NARMC0306PK/DOI # ARPC 06 020 381.				
Your approval/acknowledgment of this filing with a proposed effective date of 7/1/08 is appreciated.				
22.	Filing Fees (Filer must provide check # and f [If a state requires you to show how you calcu		**	
1	neck #: nount:	naica your II	nng 1003, piace mai calculation below]	

***Refer to each state's checklist for additional state specific requirements (i.e. # of additional copies required, other state specific forms, etc.)

Refer to each state's checklist for additional state specific requirements or instructions on calculating

fees.

PROPERTY & CASUALTY FORM FILING SCHEDULE

(This form must be provided ONLY when making a filing that includes forms.)
(Do <u>not</u> refer to the body of the filing for the forms listing, unless allowed by the state.)

	This filing transmittal is par	NARM	IC0208		
	This filing corresponds to ra (Company tracking number of				
	Form Name/ Description/Synopsis	Form# Include edition Date	Replacement Or Withdrawn	If replacement, give form # it replaces	Previous state filing number, (if required by state)
1	Fungi Limitation Endorsement	145900 04 08		145900 06 06	NARMC0102
2			New Replacement Withdrawn		
3			New Replacement Withdrawn		
4			New Replacement Withdrawn		
5			New Replacement Withdrawn		
6			New Replacement Withdrawn		
7			New Replacement Withdrawn		
8			New Replacement Withdrawn		
9			New Replacement Withdrawn		
10			New Replacement Withdrawn		

PC FFS - 1



Fungi Limitation Endorsement - 145900 01 02 <u>04 08</u>

Policy Amendment(s)

This endorsement modifies insurance provided under the following:

Commercial Property Coverage Part
Property-Gard Select Real and Personal Property Coverage Section
Commercial Inland Marine Coverage Part
Standard Property Policy
All Other Property or Inland Marine Coverage Forms, Sections, or Endorsements attached to this policy

Schedule o	of Additio	nal Limit
------------	------------	-----------

- □ \$50,000
- □ **\$100,000**
- □ **\$250,000**

Schedule of Locations

Description of Business Real Property to which this endorsement applies:

Location Number Address

<u>Information required to complete this Schedule, if not shown above, will be shown in the Declarations.</u>

With respect to the location(s) shown in the above Schedule, the coverage parts, coverage sections, forms, or endorsements described above and attached to this policy are amended as follows.

- 1. The terms fungus and mold are deleted wherever they may appear in the coverage parts, coverage sections, forms, or endorsements described above and attached to this policy.
- 2. The following exclusion applies to any coverage part, coverage form, coverage section, coverage provision, extension of coverage, additional coverage, coverage enhancement, or amendatory endorsement attached to this policy:
 - a. This insurance does not apply to any loss, damage, expense, injury, economic loss, economic detriment, liability, or claim, directly or indirectly, arising out of, caused by, resulting from, happening through, or in consequence of **fungi**,

notwithstanding any other provision of this policy to the contrary. This includes the cost to test for, monitor, abate, mitigate, remove, dispose of, or remediate **fungi**.

- b. Such loss, damage, expense, injury, economic loss, economic detriment, liability, or claim is excluded regardless of any other cause, condition, event, material, product or building component, that contributes concurrently or in any sequence to the loss, damage, expense, injury, economic loss, economic detriment, liability, or claim.
- 3. The following coverage extension is added:

Fungi

- a. If **fungi** is the result of a Covered Cause of Loss, we will pay, subject to the limitation in subsection 3.d. (below), for:
 - (1) Direct physical loss of or damage to Covered Property, or Property Insured; or
 - (2) Your liability for property of others;

At the premises shown in the Declarations, caused by or resulting from **fungi**. This includes the necessary and reasonable cost incurred to test for, monitor, abate, mitigate, remove, dispose of, or remediate fungi.

- b. Coverage provided by this extension applies only if the presence of **fungi** is reported to us within 30 days of the occurrence of the covered loss that is alleged to have caused this condition.
- c. Coverage provided by this extension includes:
 - (1) The actual loss of Business Income you sustain;
 - (2) The necessary Extra Expense you incur; or
 - (3) Ordinance or Law Coverage;

if the Coverage Section, policy Declarations, or an endorsement attached to this policy show that you have Business Income, Extra Expense, or Ordinance or Law Coverage.

d. Regardless of any other limits or coverages stated in this policy, or the number of locations involved, the most we will pay under this coverage extension in any one occurrence or in the **annual aggregate** during the policy period is \$25,000- or the

<u>amount indicated in the above Schedule of Additional Limit.</u> The provisions of this extension do not increase any Limits of Insurance provided by this policy.

4. Additional Definitions:

a. **Annual Aggregate** means the most we will pay for all loss or damage arising from all occurrence(s) during any one Policy Period. **Annual aggregate** Limit(s) of Insurance are reduced by the amount of any paid loss insured under this coverage extension.

If the policy is written for a term of more than one year, we will apply the **annual aggregate** limit of insurance separately to each consecutive year of the Policy Period. If the policy is extended for a period of time that is less than a year, the **annual aggregate** from the prior term applies to the extended period of time.

b. **Fungi** means all types of fungus, such as mildew and mold, and all of their resulting spores and byproducts, including mycotoxins and allergens. **Fungi** does not mean **fungi** for human ingestion.

For purposes of this **Fungi** Coverage Extension, **fungi** is not considered a **pollutant**.

This endorsement is otherwise subject to all other terms, conditions, provisions and stipulations of the policy to which it is attached.